

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 09/558,329 is being electronically transmitted via EFS-WEB, on March 15, 2007.

/Randall S. Jackson, Jr./

March 15, 2007

Randall S. Jackson, Jr.
Reg. No. 48,248

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte Stern

Appeal No. _____

Serial No.: 09/558,329
Filed: April 25, 2000
Group Art Unit: 1771
Examiner: Cheryl Juska
Applicant: Randolph A. Stern and Michael N. Byles
Title: Stitch Bonded Fabric and Fluid-Retaining Fabric Made Therewith
Attorney Docket: STAN-09RE
Conf. No.: 9722

Mail Stop APPEAL BRIEF-PATENTS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

March 15, 2007

Dear Sir or Madam:

RESPONSE TO THE NOTICE OF NON-COMPLIANT APPEAL BRIEF

This is in response to the Notice of Non-Compliant Appeal Brief mailed February 20, 2007. As set forth below, Paragraph VI of the Appeal Brief, titled "Ground(s) of Rejection to be Reviewed on Appeal", now cites the statutes, i.e., 35 U.S.C. §102 and 35 U.S.C. §103, for the claims rejections.

VI. Ground(s) of Rejection to be Reviewed on Appeal

Whether any of the Examiner's cited art discloses under 35 U.S.C. §102 or 35 U.S.C. §103 the combination of Appellants' stitch bonded yarn face which is "effectively continuous such that" the "felt" surface is "not generally exposed" at the yarn face in claims 1-87. Appellants submit that the answer is "no" and that the rejections must, therefore, be reversed.

Conclusion

Appellants respectfully submit that the previously submitted Appeal Brief, with revised Paragraph VI above, is in full compliance with the provisions of 37 CFR §41.37. If this Response leaves any issues open, a call to undersigned counsel would be gratefully appreciated.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By /Randall S. Jackson, Jr./
Randall S. Jackson, Jr.
Reg. 48,248

2700 Carew Tower
Cincinnati, Ohio 45202
(513) 241-2324
FAX (513) 241-6234